

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Jukka GYNTER et al.)	Group Art Unit: 1626
)	
Application No.: 10/541,387)	Examiner: Yong Liang CHU
)	
§ 371 Date: May 9, 2006)	
Int'l Filing Date: January 2, 2004)	
)	Confirmation No.: 6312
For: COMPOUNDS HAVING PROLYL)	
OLIGOPEPTIDASE INHIBITORY)	
ACTIVITY)	

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMENTS ON REASONS FOR ALLOWANCE

Further to a conversation between Applicants' representative, Jill MacAlpine (Reg. No. 60,475) and the Examiner on Wednesday, January 30, 2008, Applicants respectfully note that, in the Notice of Allowance mailed on January 18, 2008, the Examiner included remarks concerning a claim rejection under 35 U.S.C. § 102(e) over "the '695 patent" on page 2 of the Notice of Allowability. However, none of the claims of this application were ever rejected the claims under 35 U.S.C. § 102(e) over any reference. In fact, it appears that the rejection is discussing a different application as it states that "[a]pplicant argued that the chemical structure of the '695 patent is patentably distinct from the instant invention because X is O for the instant application,

and X is C₁-C₇ alkyl group for the '695 patent." Page 2 of the Notice of Allowability.

However, in the presently allowed claims, **X is C**. Furthermore, Applicants never made such an argument.


In addition, an initialed copy of the PTO SB/08 Form submitted on July 1, 2005, as part of an Information Disclosure Statement, has not been returned to Applicants. Applicants also note that that PTO SB/08 Form has not been imaged on the U.S. Patent and Trademark Office's PAIR website. Accordingly, Applicants resubmit herewith a copy of that Information Disclosure Statement and PTO SB/08 Form as-filed on July 1, 2005, as well as a copy of the date-stamped PTO postcard, which confirms PTO receipt of said documents. **Applicants respectfully request that the Examiner issue a revised Notice of Allowability and an initialed copy of the PTO SB/08 Form.**

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 14, 2008

By: 
Erin M. Sommers
Reg. No. 60,974
(202) 408-4000